

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MAYNE PHARMA (USA) INC.,

Plaintiff,

v.

AMERICAN PHARMACEUTICAL
PARTNERS, INC., BIGMAR, INC.,
and BIGMAR-BIOREN
PHARMACEUTICALS, S.A.,

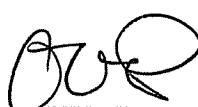
Defendants.

C.A. No. 04-1564 -KAJ

STIPULATED DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED, by and between plaintiff Mayne Pharma (USA), Inc. ("Mayne") and defendant American Pharmaceutical Partners, Inc. ("APP"), through their undersigned counsel and pursuant to Fed. R. Civ. P. 41(a)(1)(ii), that Mayne's claims against APP in the above-captioned action are dismissed without prejudice.

YOUNG CONAWAY
STARGATT & TAYLOR, LLP


C. Barr Flinn (No. 4092)
Adam W. Poff (No. 3990)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
(302) 571-6600
apoff@ycst.com

Attorneys for Mayne Pharma (USA) Inc.

MORRIS NICHOLS ARSHT & TUNNELL

/s/ Thomas C. Grimm

Thomas C. Grimm (No. 1098)
1201 North Market Street
Wilmington, DE 19899-1347
(302) 575-7273
tgrimm@mnat.com

*Attorneys for American Pharmaceutical
Partners, Inc.*